

1
2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

4 Brass Monkey LLC,

5 Plaintiff

6 v.

7 Crown Castle, et al.,

8 Defendants
9

Case No. 2:24-cv-01806-CDS-NJK

**Order Granting Defendants'
Unopposed Motion to Dismiss**

[ECF No. 23]

10 This is a breach of contract dispute brought by plaintiff Brass Monkey LLC against
11 defendants Crown Castle Inc. New Cingular Wireless PCS, LLC, and CCATT LLC. Am Compl.,
12 ECF No. 16. Defendants removed this action from the Eighth Judicial District Court, Clark
13 County, Nevada on September 25, 2024. *See* Pet. for removal, ECF No. 1. On December 11, 2024,
14 after defendants had filed a motion to dismiss the complaint (ECF No. 14), Brass Monkey filed
15 an amended complaint (ECF No. 16). On January 31, 2025, defendants filed a motion to dismiss
16 the amended complaint. Mot. to dismiss, ECF No. 23. Any opposition to that motion was due by
17 February 14, 2025. *See* ECF No. 23; *see also* LR 7-2(b) (deadline for responses to motions, other
18 than those for summary judgment, is fourteen days after service of the motion). That deadline
19 passed without any response, leaving the motion to dismiss unopposed.

20 Local Rule 7-2(d) provides that “[t]he failure of an opposing party to file points and
21 authorities in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for
22 attorney’s fees, constitutes a consent to the granting of the motion.” I apply this rule and deem
23 Brass Monkey’s failure to respond to the motion to dismiss the amended complaint as consent to
24 granting the motion.
25
26

Conclusion

IT IS THEREFORE ORDERED that defendants' motion to dismiss the amended complaint [ECF No. 23] is GRANTED, therefore the first amended complaint is dismissed without prejudice.

The Clerk of Court is kindly directed to enter judgment accordingly and to close this case.

Dated: February 25, 2025



Cristina D. Silva
United States District Judge